

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1129, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 2 "SECTION 1. IC 7.1-3-5-2 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The
- 4 commission may issue a beer dealer's permit only to an applicant who
- 5 is the proprietor of a drug store, ~~or~~ grocery store, **or package liquor**
- 6 **store.**
- 7 (b) The commission may issue a beer dealer's permit to an applicant
- 8 that is a foreign corporation if:
- 9 (1) the applicant is duly admitted to do business in Indiana;
- 10 (2) the sale of beer is within the applicant's corporate powers; and
- 11 (3) the applicant is otherwise qualified under this title.
- 12 (c) The commission shall not issue a beer dealer's permit to a person
- 13 who is disqualified under the special disqualifications. However, the
- 14 special disqualification listed in ~~IC 7.1-3-4-2(13)~~ **IC 7.1-3-4-2(a)(13)**

1 shall not apply to an applicant for a beer dealer's permit.

2 (d) Notwithstanding subsection (a), the commission may renew a
3 beer dealer's permit for an applicant who:

4 (1) held a permit before July 1, 1997; and

5 (2) is the proprietor of a confectionery or a store that:

6 (A) is not a drug store, ~~or~~ grocery store, **or package liquor**
7 **store;**

8 (B) is in good repute; and

9 (C) in the judgment of the commission, deals in merchandise
10 that is not incompatible with the sale of beer.

11 SECTION 2. IC 7.1-3-12-5, AS AMENDED BY P.L.235-2001,
12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2002]: Sec. 5. (a) The holder of a farm winery permit:

14 (1) is entitled to manufacture wine and to bottle wine produced by
15 the permit holder's farm winery;

16 (2) is entitled to serve complimentary samples of the winery's
17 wine on the licensed premises;

18 (3) is entitled to sell the winery's wine on the licensed premises to
19 consumers either by the glass, or by the bottle, or both;

20 (4) is entitled to sell wine by the bottle or by the case to a person
21 who is the holder of a permit to sell wine at either wholesale or
22 retail;

23 (5) is exempt from the provisions of IC 7.1-3-14;

24 (6) is entitled to advertise the name and address of any retailer or
25 dealer who sells wine produced by the permit holder's winery; ~~and~~

26 (7) for wine described in IC 7.1-1-2-3(a)(4):

27 (A) may allow transportation to and consumption of the wine
28 on the licensed premises; and

29 (B) may not sell, offer to sell, or allow the sale of the wine on
30 the licensed premises; **and**

31 **(8) is entitled to purchase and sell bulk wine as set forth in this**
32 **chapter.**

33 (b) With the approval of the commission, a holder of a permit under
34 this chapter may conduct business at a second location that is separate
35 from the winery. At the second location, the holder of a permit may
36 conduct any business that is authorized at the first location, except for
37 the manufacturing or bottling of wine.

38 (c) With the approval of the commission, a holder of a permit under

1 this chapter may, individually or with other permit holders under this
 2 chapter, participate in a trade show or an exposition at which products
 3 of each permit holder participant are displayed, promoted, and sold.
 4 The commission may not grant approval under this subsection to a
 5 holder of a permit under this chapter for more than nine (9) days in a
 6 calendar year.

7 SECTION 3. IC 7.1-3-12-7 IS ADDED TO THE INDIANA CODE
 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 9 1, 2002]: **Sec. 7. (a) Except as provided in subsection (b), a farm
 10 winery may purchase annually a quantity of bulk wine that does
 11 not exceed the greater of the following:**

12 **(1) Five thousand five hundred (5,500) gallons.**

13 **(2) Fifty percent (50%) of the quantity of wine produced by
 14 fermentation by the winery during the previous year.**

15 **(b) This subsection applies to a farm winery that suffers a loss
 16 of wine inventory due to natural or manmade disaster. If the farm
 17 winery documents the inventory loss and obtains permission from
 18 the commission, the winery may purchase a quantity of bulk wine
 19 not greater than the sum of the following:**

20 **(1) The quantity of the winery's wine inventory loss.**

21 **(2) The quantity of bulk wine that may be purchased by the
 22 farm winery annually under subsection (a)."**

23 Page 2, delete lines 1 through 39.

24 Page 3, after line 25, begin a new paragraph and insert:

25 "SECTION 5. [EFFECTIVE UPON PASSAGE] **A new or renewal
 26 beer dealer permit issued or transferred to a package liquor store
 27 after June 30, 1997, and until the effective date of this act is**

- 1 **legalized.**
- 2 SECTION 6. **An emergency is declared for this act."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1129 as introduced.)

and when so amended that said bill do pass.

Representative Kuzman